

**Carlos Hernández**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis González**  
Council Vice President



Council Members  
**Jose F. Caragol**  
**Vivian Casáls-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernández**  
**Lourdes Lozano**

## City Council Summary Agenda August 13, 2013 7:00 P.M.

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Call to Order - **Council President Garcia-Martinez called the meeting to order at 7:15 p.m.**

Roll Call of Council Members – **Quorum (6 out of 7 Council Members present)**

- **The following Council Members were present:**

- Lourdes Lozano, Council Member
- Jose Caragol, Council Member
- Isis Garcia-Martinez, Council President
- Luis Gonzalez, Council Vice President
- Paul Hernandez
- Katharine Cue Fuente

- **The following Council Members were absent:**

- Vivian Casals-Muñoz

Invocation given by Acting City Clerk, Marbelys Fatjo

Pledge of Allegiance led by Councilwoman Lourdes Lozano

### **Meeting Guidelines**

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the

public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

**REPORT: Council President Garcia-Martinez recognized Olga Fulgueria of Miami-Dade Commissioner Pepe Diaz's office, and Lenna Borjes of Miami-Dade Commissioner Esteban Bovo's office.**

### **Presentations**

(1) Certificates of Merit presented to the City of Hialeah Parks and Recreation Water Polo Team, 12 and under age group athletes, for an excellent performance at the 2013 Sunshine State Games and for winning the Gold Metal. - **PRESENTED**

#### **Age 12 & Under / Gold Medal**

- Bryan Domínguez-Castro
- Paola Domínguez-Castro
- Jeannette García
- Melanie Hernández
- Lorenzo García
- David Lemus
- Bruno Molina
- Jonah Pouparina
- Mario Valdez
- Luis Viera

(2) Certificates of Merit presented to the City of Hialeah Parks and Recreation Water Polo Team, 14 and under age group athletes, for an excellent performance at the 2013 Sunshine State Games and for winning the Bronze Metal. - **PRESENTED**

#### **Age 14 & Under / Bronze Medal**

- Henry Alvarez
- Sebastian Bello
- Jennifer Garcia
- Ashley Luy
- Nayin Magarino
- Kenny Marte
- Ricardo Martinez
- Adrian Mena
- Alejandro Mena
- Rances Nunez

(3) Certificates of Appreciation presented to the Coaches of the City of Hialeah Parks and Recreation Water Polo Team. – **PRESENTED**

**Coaches**

- Alexander Donis
- Nelson Dominguez

(4) Check presentation (\$10,000.00) from Wells Fargo to the City of Hialeah in support of the Early Prevention and Intervention Youth and Internship Program. – **PRESENTED**

**REPORT: Mayor Hernandez presented Major Raleigh Flowers of the Hialeah Police Department with a plaque from the City of Opa-Locka, Florida, commending the Hialeah Police Department for their actions on July 26, 2013. Mayor Hernandez also gave a letter to each Council Member and read the letter addressed to him, all from Commissioner Dorothy Johnson of the City of Opa Locka, extending thoughts, prayers and condolences to the families of the victims and the entire City of Hialeah.**

1. Announcement of Amendments/Corrections to the Agenda - **Items ZZ, AAA, BBB, CCC, DDD, EEE, FFF, and GGG were added to the agenda. Items NN, OO, PP and 5 were withdrawn from the agenda.**

**Council President Garcia-Martinez requested separate discussion on item F of the Consent Agenda.**

**Mayor Hernandez requested separate discussion on item XX of the Consent Agenda.**

**Councilman Hernandez requested separate discussion on item FFF of the Consent Agenda.**

**Motion to Approve the Consent Agenda, except items F, XX and FFF, made by Council Vice President Gonzalez and seconded by Councilwoman Cue-Fuente. MOTION PASSED (6-0-1) (VCM ABSENT)**

2. Consent Agenda –

- A. Report of Scrivener's Error – City Council Agenda of November 13, 2012 - Item Y. The correct funding account number is 001.8500.519.341 - Contractual Services – Code Red. (OFFICE OF MANAGEMENT & BUDGET) **APPROVED (6-0-1) (VCM ABSENT)**
- B. Report of Scrivener's Error – City Council Agenda of June 25, 2013 – Item BB. The correct funding source for the Automatic License Plate Recognition camera should be the General Fund rather than the Law Enforcement Trust Fund. (POLICE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- C. Report of Scrivener's Error – City Council Agenda of October 23, 2012 – Item D. The correct expenditure amount is \$97,000. (OFFICE OF MANAGEMENT & BUDGET) **APPROVED (6-0-1) (VCM ABSENT)**
- D. Request from Santa Barbara Catholic Church, 6801 West 30 Avenue, Hialeah, Florida, for a carnival permit on church grounds, from November 7 through November 10, 2013.

(OFFICE OF THE CITY CLERK) *(Recommendations from the Fire Dept. and Police Dept.)* **APPROVED (6-0-1) (VCM ABSENT)**

- E. Request permission to increase purchase order # 2013-2467, since it is advantageous to the City, issued to Iron Mountain Incorporated, to cover outstanding invoices, as well as forthcoming invoices, by an additional amount of \$11,000, for a total cumulative amount not to exceed \$22,000. (OFFICE OF THE CITY CLERK) **APPROVED (6-0-1) (VCM ABSENT)**
- F. Request permission to waive competitive bids, since it is advantageous to the City due to time constraints in that the lease for the copier currently being used by the City has expired, and issue a purchase order to RICOH USA, INC., as well as renew the contract with RICOH USA, INC. for a period of five years beginning on September 1, 2013 and ending on September 1, 2018, for a yearly cost not to exceed \$9,788.76. (OFFICE OF THE CITY CLERK) **APPROVED (6-0-1) (VCM ABSENT)**
- G. Request permission to issue a purchase order to Iron Mountain Incorporated, for the payment of a retrieval fee, permanent withdrawal fee, administration fees, and additional storage fee, which need to be paid in order to relocate the boxes currently in storage with Iron Mountain Incorporated to the new vendor, for a total cumulative amount not to exceed \$54,773.34. The contract between the City and Iron Mountain expired on June 4, 2013, and during the Council meeting held on June 11, 2013, off premise storage of City records was awarded to the lowest responsive bidder, GRM Information Management Services of Miami, LLC. (OFFICE OF THE CITY CLERK) **APPROVED (6-0-1) (VCM ABSENT)**
- H. Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Thevenin Enterprises, Inc., for the electrical site lighting at the 72-Unit Elderly Housing Project, for a total cumulative amount not to exceed \$48,950.00. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- I. Request permission to issue a new purchase order to Trebor USA Corp., for additional window work at the Milander Auditorium, for a total cumulative amount not to exceed \$3,950.25. Trebor USA Corp., was awarded the windows during the meeting of March 27, 2012 in the amount of \$227,930. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- J. Request permission to issue a new purchase order to Nel & Sons, Inc., for additional Heating, Ventilation, and Air Conditioning work at the 36-Unit Elderly Housing Project,, for a total cumulative amount not to exceed \$1,800. Nel & Sons, Inc., was awarded the Heating, Ventilation, and Air Conditioning during the meeting of August 28, 2012 in the amount of \$84,700. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- K. Request permission to increase purchase order # 2013-2743, since it is advantageous to the City, issued MVP Builders, Inc., for additional shell work at the 36-Unit Elderly Housing Project, by an additional amount of \$6,150, for a new total cumulative amount not to exceed \$28,431. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**

- L. Request permission to increase purchase order # 2013-1778, since it is advantageous to the City, issued CityWorks Construction, LLC., for additional stucco at the 36-Unit Elderly Housing Project, by an additional amount of \$10,416, for a new total cumulative amount not to exceed \$138,265. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- M. Request permission to issue a new purchase order to Thevenin Enterprises, Inc., for additional electrical and fire alarm work at the 36-Unit Elderly Housing Project, for a total cumulative amount not to exceed \$18,193.16, of which \$8,873.36 is for the reimbursement of permit fees which were paid by the contractor. Thevenin Enterprises, Inc., was awarded the electrical and fire alarm during the meeting of August 14, 2012 in the amount of \$431,000. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- N. Request permission to increase purchase order # 2013-2013, since it is advantageous to the City, issued HD Supply Power Solutions, LTD., for additional light fixtures at the 72-Unit Elderly Housing Project, by an additional amount of \$3,235.95, for a new total cumulative amount not to exceed \$151,374.64. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- O. Request permission to issue a new purchase order to ACTL Group, LLC., for additional mechanical and heating, ventilation and air conditioning work at the 72-Unit Elderly Housing Project, for a total cumulative amount not to exceed \$14,736. ACTL Group, LLC., was awarded the mechanical/ heating, ventilation and air conditioning work during the meeting of May 22, 2012 in the amount of \$163,500. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- P. Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to FWC Metal Works, LLC., for window safeguards at the 72-Unit Elderly Housing Project, for a total cumulative amount not to exceed \$16,300. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- Q. Request permission to increase purchase order # 2013-1259, since it is advantageous to the City, issued to Aaron Construction Group, Inc., for additional framing, drywall and insulation at the 72-Unit Elderly Housing Project, by an additional amount of \$20,302.41, for a new total cumulative amount not to exceed \$306,302.41. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- R. Request permission to increase purchase order # 2013-1263, since it is advantageous to the City, issued to Aaron Construction Group, Inc., for additional stucco work at the 72-Unit Elderly Housing Project, by an additional amount of \$4,697.59, for a new total cumulative amount not to exceed \$218,697.59 (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**

- S. Request permission to issue a new purchase order to Caiman Fire Services, Inc., for additional fire protection at the 72-Unit Elderly Housing Project, for a total cumulative amount not to exceed \$26,950. Caiman Fire Services, Inc., was awarded the fire protection during the meeting of June 12, 2012 in the amount of \$84,000. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- T. Request permission to increase purchase order # 2013-2054, since it is advantageous to the City, issued to Hegmag, Inc., for additional work in the installation of CCTV equipment at the Milander Auditorium, by an additional amount of \$500, for a new total cumulative amount not to exceed \$16,500. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- U. Request permission to increase purchase order # 2013-788, since it is advantageous to the City, issued to Hegmag, Inc., for additional work in the burglar alarm installation at the Milander Auditorium, by an additional amount of \$3,200, for a new total cumulative amount not to exceed \$12,200. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- V. Request permission to issue a new purchase order to A-1 Duran Roofing, Inc., for additional roofing work at the Milander Auditorium, for a total cumulative amount not to exceed \$4,000. A-1 Duran Roofing, Inc., was awarded the roofing during the meeting of January 10, 2012 in the amount of \$219,000. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- W. Request permission to award Hialeah bid # 2012/13-3230-00-032 and issue a purchase order to A-1 Duran Roofing, Inc., lowest responsive bidder, for roofing services at the Multipurpose Adult Center at the 300-Unit Elderly Housing, for a total cumulative amount not to exceed \$33,300. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- X. Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Architectural Railings & Grilles, Inc., for additional stainless steel railings at the Milander Complex, for a total cumulative amount not to exceed \$11,660. Architectural Railings & Grilles, Inc., was awarded the stainless steel railings during the meeting of June 26, 2012 in the amount of \$68,600. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- Y. Request permission to award Hialeah bid # 2012/13-3230-00-040 and issue a purchase order to Hurst Awning Company, Inc., for impact windows and glass doors at the Multipurpose Adult Center at the 300-Unit Elderly Housing, for a total cumulative amount not to exceed \$33,383.13. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- Z. Request permission to increase purchase order # 2013-356, since it is advantageous to the City, issued to Manhattan Electric & Hardware Corporation d/b/a Manhattan Electric & Lighting Supply, for electrical supplies and materials, by an additional amount of \$10,000,

for a new total cumulative amount not to exceed \$25,000. (CONSTRUCTION AND MAINTENANCE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**

- AA.** Request permission to increase purchase order # 2013-383, since it is advantageous to the City, issued to South Florida Appliance, Inc., for supplies and materials for emergency repairs, by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$20,000. (CONSTRUCTION AND MAINTENANCE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- BB.** Request permission to increase purchase order # 2013-2662, since it is advantageous to the City, issued to Compass Office Solutions, LLC., for the purchase of additional office furniture for the Water & Sewers Department, by an additional amount of \$23,626.03, for a new total cumulative amount of \$33,249.85. (CONSTRUCTION AND MAINTENANCE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- CC.** Request permission to increase purchase order # 2013-598, since it is advantageous to the City, issued to Best Garage Doors, Inc., to maintain and repair all overhead garage doors and gates on a needed basis, by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$20,000. (FIRE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- DD.** Request permission to increase purchase order # 2013-256, since it is advantageous to the City, issued to Barnes Group, Inc., to purchase hardware supplies for City vehicles, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$40,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- EE.** Request permission to increase purchase order # 2013-674, since it is advantageous to the City, issued to Wingfoot Commercial Tire Systems, LLC., to purchase new tires for vehicles assigned to Public Works, Fire Department, and Water and Sewer Department, by an additional amount of \$20,000, for a new total cumulative amount not to exceed \$200,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- FF.** Request permission to increase purchase order # 2013-678, since it is advantageous to the City, issued to Tiresoles of Broward, Inc., to purchase tires and road call service for vehicles assigned to Public Works, Fire Department, and Water and Sewer Department, by an additional amount of \$20,000, for a new total cumulative amount not to exceed \$200,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- GG.** Request permission to increase purchase order # 2013-238, since it is advantageous to the City, issued to K.V.P. Enterprises, Inc., to purchase engine parts, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$45,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- HH.** Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Catering Agreement with Aramark Corporation, a Pennsylvania Corporation, to provide catering services in the event of a disaster or emergency situation to the City of Hialeah from June 1, 2013 through May 31, 2016. (EMERGENCY MANAGEMENT) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-60**

- II.** Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Catering Agreement with Prima Food Corporation, a Florida Corporation, to provide catering services in the event of a disaster or emergency situation to the City of Hialeah from June 1, 2013 through May 31, 2016. (EMERGENCY MANAGEMENT) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-61**
- JJ.** Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Catering Agreement with Greater Miami Caterers, Inc., a Florida Corporation, to provide catering services in the event of a disaster or emergency situation to the City of Hialeah from June 1, 2013 through May 31, 2016. (EMERGENCY MANAGEMENT) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-62**
- KK.** Request permission to issue a purchase order to Florida Bullet, Inc., sole source vendor, for the purchase of rifle ammunition, for a total cumulative amount not to exceed \$4,917.60. (POLICE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- LL.** Request permission waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Lou's Police and Security Equipment, for uniform items purchased during March and April of 2013, for a total cumulative amount not to exceed \$17,009.21. (POLICE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- MM.** Request permission waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Lou's Police and Security Equipment, for uniform items purchased during May and June of 2013, for a total cumulative amount not to exceed \$17,925.21. (POLICE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- NN.** ~~Proposed resolution approving the expenditure totaling an amount not to exceed \$6,762.50 from the Law Enforcement Trust Fund – *Federal*, to purchase one hundred and fifty (150) ring buoys and one hundred and fifty (150) rescue throw ropes for the Hialeah Police Department, from Lincoln Equipment, Inc., lowest quote vendor, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)~~ **WITHDRAWN**
- OO.** ~~Proposed resolution approving the expenditure totaling an amount not to exceed \$7,399.00 from the Law Enforcement Trust Fund – *Federal*, to purchase fifty (50) 21" Talon Cerakote Batons and fifty (50) ASP 21" Side Break Scabbards, for the Hialeah Police Department, from Lou's Police Distributor, Inc., lowest quote vendor, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)~~ **WITHDRAWN**
- PP.** ~~Proposed resolution approving the expenditure totaling an amount not to exceed \$167,994.24 from the Law Enforcement Trust Fund – *Federal*, as follows: \$152,316.00 for the purchase of six 2014 Ford Intereceptor Utility (K8A) police vehicles from Don Reid Ford, utilizing the pricing established by a competitive bid from the Florida Sheriff's Association, and emergency equipment with installation from Rainbow Window Tinting Inc. for \$15,678.24 upon such costs having been approved by the Chief of Police. (POLICE DEPT.)~~ **WITHDRAWN**
- QQ.** Proposed resolution approving the expenditure totaling an amount not to exceed \$210,250.40 from the Law Enforcement Trust Fund - *State*, as follows: \$183,820.00 for the purchase of ten (10) 2014 Chevrolet Impalas (1WF19) police vehicles from Maroone



Chevrolet LLC, utilizing the pricing established by a competitive bid from the Florida Sheriff's Association and emergency equipment with installation from Rainbow Window Tinting Inc. for \$ 26,430.40, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-63**

- RR.** Request permission to increase purchase order # 2013-1736, since it is advantageous to the City, issued to Paldama Investment, Inc., d/b/a Island Fence of Dade, for the replacement of the overhead garage doors and tracks of sallyport, by an additional amount of \$6,900, for a new total cumulative amount not to exceed \$15,230. (POLICE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**
- SS.** Proposed resolution ratifying and approving an Interlocal Agreement between the City of Hialeah and Miami-Dade County in order to reimburse the City of Hialeah for parking fines that shall be used to improve accessibility and equal opportunity to qualified persons who have disabilities in the City of Hialeah and to conduct disability public awareness programs, copy of which is attached hereto and made a part hereof as Composite Exhibit "1". (RISK MANAGEMENT) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-64**
- TT.** Proposed resolution to extend services with the prior competitively bid award three additional years with a no cost increase and authorizing the Mayor and City Clerk, on behalf of the City, to enter into a Professional Services Agreement with United Healthcare, Inc., which processes group health claims for the City, for a term of three additional years for calendar years 2014, 2015, and 2016 for a fixed monthly rate of \$32.77 for each employee/retired employee, for an amount not to exceed \$800,000.00 each year, inclusive of the shared savings fee, in a form acceptable to the City Attorney (RISK MANAGEMENT) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-65**
- UU.** Proposed resolution authorizing the Mayor and the Acting City Clerk, as attesting witness, on behalf of the City, to enter into a Professional Agreement with LPR Systems & Logistics LLC, a Florida Limited Liability Company, for a term of one year, commencing on October 1, 2013 and ending on September 30, 2014, to supervise and implement the Hialeah Police Department Mobile License Plate Reader Program, a copy of which is attached hereto and made a part hereof as Exhibit "1". (POLICE DEPT.) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-66**
- VV.** Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Use Agreement with Florida National University, Inc. to provide the gymnasium at Bucky Dent Park for college basketball practices and games from September 30, 2013 through and including February 28, 2014, a copy of which is attached hereto as Exhibit "A". (PARKS & RECREATION DEPT.) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-67**
- WW.** Proposed resolution authorizing the Mayor or his designee on behalf of the City of Hialeah, Florida, to submit to the United States Department of Housing and Urban Development (HUD), the Action Plan for fiscal year 2013-2014, including amendments and revisions thereto, and to execute any and all agreements, certifications and assurances in furtherance of the programs in the action plan in accordance with the US HUD Regulations. (DEPT.

OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**  
**RESOLUTION NO. 2013-68**

- XX.** Proposed resolution voicing support for the Cuban refugees detained by the Bahamian government; denouncing and demanding a halt to their mistreatment and abuse, and calling for their humane treatment; and urging the U.S. Department of State and the U.N. Commission on Human Rights to investigate the treatment of the refugees, support their designation as political refugees, and grant them political asylum. (ADMINISTRATION) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-69**
- YY.** Report of Scrivener's Error – City Council Agenda of June 25, 2013 – Item CC. The line item transfers for the Police Grant Fund are being corrected as follows:

| Account Number   | Account Name                      | Increase/Decrease |
|------------------|-----------------------------------|-------------------|
| 121.1000.334.400 | COPS Grant – 2009                 | (\$92,941.52)     |
| 121.1000.334.401 | COPS Grant - 2010                 | (\$115,727.29)    |
| 121.1000.521.643 | Capital Outlay COPS Grant<br>2009 | \$92,941.52       |
| 121.1000.521.644 | Capital Outlay COPS Grant<br>2010 | \$115,727.29      |

(OFFICE OF MANAGEMENT & BUDGET) **APPROVED (6-0-1) (VCM ABSENT)**

- ZZ.** Request permission to issue a new purchase order to Horizon Fire Sprinklers, Inc., for additional fire protection work at the 36-Unit Elderly Housing, for a total cumulative amount not to exceed \$1,900. Horizon Fire Sprinklers, Inc., was awarded the fire protection during the meeting of August 28, 2012 in the amount of \$98,950. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- AAA.** Request permission to reject Hialeah bid # 2012/13-3230-00-036 – 72 Units Elderly Housing – site work and parking lot, because the proposals exceeded our budget, and authorize the department permission to waive competitive bids, since it is advantageous to the City, and obtain quotations for this project and return to the Council with new prices for review and approval. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- BBB.** Request permission to increase purchase order # 2013-2562, since it is advantageous to the City, issued to G & R Electric Corp., for additional electrical work at the 72-Unit Elderly Housing Project, by an additional amount of \$6,300, for a new total cumulative amount not to exceed \$20,200. G & R Electric, Corp., was awarded the electrical during the meeting of June 25, 2012 in the amount of \$610,000. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**
- CCC.** Request permission to increase purchase order # 2013-848, since it is advantageous to the City, issued to Waste Management Inc. of Florida, for waste services at the 72-Unit Elderly Housing Project, by an additional amount of \$10,000, for a new total cumulative amount

not to exceed \$25,000. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (6-0-1) (VCM ABSENT)**

**DDD.** Request permission to increase purchase order # 2013-2576, since it is advantageous to the City, issued to Reflections Productions, Inc., for approved necessary changes and additions made to the City's 2013 Independence Day Celebration, including a stage extension and fuel charge, by an additional amount of \$2,094.94, for a new total cumulative amount not to exceed \$19,287.94. (EDUCATION AND COMMUNITY SERVICES DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**

**EEE.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Snack Program Agreement with the School Board of Miami-Dade County to purchase and provide snacks to participants in City after school programs funded by the 21<sup>st</sup> Century Learning Communities Grant, for a term of one year, commencing on August 20, 2013 and ending on August 19, 2014, for an amount not to exceed \$20,250 at a rate of 75 cents for each snack, as attached hereto and made a part hereof as Exhibit "1" and authorizing the expenditure subject to reimbursement through the State of Florida, Department of Education, based on actual attendance figures. (EDUCATION AND COMMUNITY SERVICES DEPT.) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-70**

**FFF.** Proposed resolution renewing the grant from the Florida Department of Education in the annual amount of \$474,596.00 for afterschool and summer programs operating out of four 21<sup>st</sup> Century Community Learning Centers, for students from grades 6 through 10, for one year, commencing on August 1, 2013 and ending on July 31, 2014, ratifying the grant agreement and further authorizing the Mayor or his designee to execute any and all documents and subcontracts in furtherance thereof. (EDUCATION AND COMMUNITY SERVICES DEPT.) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-71**

**GGG.** Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Bennett Fire Products Company, Inc., to purchase bunker gear, for a total cumulative amount not to exceed \$278,730.00. (FIRE DEPT.) **APPROVED (6-0-1) (VCM ABSENT)**

**3.** First reading of proposed ordinance amending Chapter 70 entitled "Retirement and Pensions", Article VII. Elected Officials, Division 1 Generally, of the Code of Ordinances, and in particular, adding a new section, Hialeah Code § 70-351 entitled "Closure for New Entrants and Reentrants" to close or terminate the Elected Officers Retirement Trust for new entrants as of January 1, 2014 and reentrants who are reelected or rehired after a break of service after January 1, 2014 and revising Hialeah Code § 70-350 entitled "Contributions" establishing a seven percent (7%) participant contribution based on annual compensation commencing on January 1, 2014 for new years of service for non-vested participants; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION) **APPROVED (6-0-1) (VCM ABSENT)**

**Motion to Approve made by Councilwoman Cue-Fuente and seconded by Council Vice President Gonzalez. MOTION PASSED (6-0-1) (VCM ABSENT)**

4. First reading of proposed ordinance submitting to the electorate at a special election conducted during the Primary Election of the City of Hialeah occurring in the City of Hialeah, Florida on Tuesday, November 5, 2013, wherein the electors of the City of Hialeah, Florida shall be privileged to vote on the following question:

**"Shall the City amend the Hialeah Charter to require Hialeah voters to approve any future changes to the pension plan for elected officials, which will be closed to new elected officials beginning on January 1, 2014?"**

Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in charter; providing for a severability clause and providing for an effective date. (ADMINISTRATION) **APPROVED (6-0-1) (VCM ABSENT)**

**Motion to Approve made by Councilwoman Cue-Fuente and seconded by Council Vice President Gonzalez. MOTION PASSED (6-0-1) (VCM ABSENT)**

5. ~~First reading of proposed ordinance amending Chapter 2 entitled "Administration", Article II. Departments, Offices and Divisions, of the Code of Ordinances by amending Division 6 entitled "Public Works Department" to incorporate the Streets Division within the Department of Public Works under the supervision of a director of Public Works; and to eliminate Section 12 entitled "Streets Department"; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION)~~ **WITHDRAWN**

6. First reading of proposed ordinance consenting to the second renewal requested by T-Mobile USA Tower LLC, a successor in interest to Omnipoint Holdings, Inc., of the ground lease for a wireless communications facility located at Babcock Park for a period of five years, commencing on June 20, 2013 and ending on June 19, 2018, providing for an annual rental of \$37,361.94, with a 5% annual increase; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF THE CITY CLERK) **APPROVED (6-0-1) (VCM ABSENT)**

**Motion to Approve made by Council Vice President Gonzalez and seconded by Councilwoman Cue-Fuente. MOTION PASSED (6-0-1) (VCM ABSENT)**

7. First reading of proposed ordinance amending Chapter 86 entitled "Taxation", Article II. Occupational License Tax, and in particular, revising Hialeah Code §86-43 entitled "Schedule of Tax by Business Classification", modifying tax for certain machines generally operated in the business location of another, specifically vending machines, arcade amusement machines, jukeboxes, pool tables and amusement rides; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing

for an effective date. (OCCUPATIONAL LICENSE) **APPROVED (6-0-1) (VCM ABSENT)**

**Motion to Approve made by Councilwoman Cue-Fuente and seconded by Councilwoman Lozano. MOTION PASSED (6-0-1) (VCM ABSENT)**

8. Proposed resolution approving a joint participation agreement with Miami-Dade County Florida, to construct roadway improvements widening West 24 Avenue, from West 60 Street to West 76 Street, from 2 to 3 lanes, including, but not limited to, paving, sidewalk, curb and gutter, pavement markings, storm drainage system, signing, signalization, bicycle facilities and roadway lighting subject to the receipt of funds from Miami-Dade County to underwrite the costs of the improvements from road impact fees in an amount not to exceed \$3,282,321.39, inclusive of a 5% contingency; and further authorizing the Mayor and the Acting City Clerk, as attesting witness, on behalf of the City, to enter into the joint participation agreement in substantial form as attached hereto and made a part hereof as Exhibit "1" and execute such documents and agreements in furtherance thereof. (STREETS DEPT.) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-72**

**Motion to Approve made by Council Vice President Gonzalez and seconded by Councilman Hernandez. MOTION PASSED (6-0-1) (VCM ABSENT)**

9. Proposed resolution approving a joint participation agreement with Miami-Dade County Florida, to construct roadway improvements widening West 76 Street, from West 36 Avenue to Hialeah Gardens Boulevard, from 2 to 3 lanes; from Hialeah Gardens Boulevard to West 28 Avenue, from 2 to 5 lanes; and from West 28 Avenue to West 20 Avenue, from 2 to 3 lanes, including, but not limited to, paving, sidewalk, curb and gutter, pavement markings, storm drainage system, signing, signalization, bicycle facilities and roadway lighting subject to the receipt of funds from Miami-Dade County to underwrite the costs of the improvements from road impact fees in an amount not to exceed \$5,444,920.43, inclusive of a 5% contingency; and further authorizing the Mayor and the Acting City Clerk, as attesting witness, on behalf of the City, to enter into the joint participation agreement in substantial form as attached hereto and made a part hereof as Exhibit "1" and execute such documents and agreements in furtherance thereof. (STREETS DEPT.) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-73**

**Motion to Approve made by Councilman Hernandez and seconded by Councilwoman Cue-Fuente. MOTION PASSED (6-0-1) (VCM ABSENT)**

10. Proposed resolution approving and ratifying the renewal of the Turf and Landscape Maintenance Joint Participation Agreement with the State of Florida, Department of Transportation to maintain the irrigation system, mulch areas, concrete pavers and plantings along the median and shoulder of designated state roads, a copy of which is attached hereto as Exhibit "1", for a term of one year, in the amount of \$142,867.53. (STREETS DEPARTMENT) **APPROVED (6-0-1) (VCM ABSENT) RESOLUTION NO. 2013-74**

**Motion to Approve made by Council Vice President Gonzalez and seconded by Councilwoman Cue-Fuente. MOTION PASSED (6-0-1) (VCM ABSENT)**

**11. Comments and Questions**

- **Julio Martinez, 780 West 80 Street, Hialeah, Florida, commented on Babcock Park and a Major League Baseball Academy.**
- **Juan Santana, 1190 West 56 Street, Hialeah, Florida, addressed the Council and Mayor with a question regarding vehicles being towed from an accident scene.**
- **Council President Garcia-Martinez congratulated Councilwoman Cue-Fuente for being unopposed in the 2013 election.**

**Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.**

**REPORT: All were duly sworn in.**

**Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.**

**ZONING**

**PZ 1.** Second reading and public hearing of proposed ordinance granting a variance permit to allow a duplex on a substandard-sized lot having a width of 57 feet, where a minimum average width of 75 feet is required, and a total area of 6,384 square feet, more or less, where a total area of at least 7,500 square feet is required, contra to Hialeah Code § 98-544. **Property located at 830 Southeast 7 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Irving Pena*) **APPROVED (6-0-1) (VCM ABSENT) ORDINANCE NO. 2013-45**

**Motion to Approve made by Council Vice President Gonzalez and seconded by Councilwoman Cue-Fuente. MOTION PASSED (6-0-1) (VCM ABSENT)**

**PZ 2.** Second reading and public hearing of proposed ordinance granting a variance permit to allow a distance of 500 feet from an existing secondhand dealer, where a 2,500-foot distance radius is required, contra to Hialeah Code §§ 98-1111(21). **Property located at 1645 West 49 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Gamestop Inc. DBA GameStop #4600*) **APPROVED (6-0-1) (VCM ABSENT) ORDINANCE NO. 2013-46**

**Motion to Approve made by Council Vice President Gonzalez and seconded by Councilwoman Lozano. MOTION PASSED (6-0-1) (VCM ABSENT)**

- PZ 3.** Second reading and public hearing of proposed ordinance granting a variance permit to allow a distance of 500 feet from an existing secondhand dealer, where a 2,500-foot distance radius is required, contra to Hialeah Code §§ 98-1111(21). **Property located at 1001 West 49 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Gamestop Inc DBA Gamestop # 474*) **APPROVED (6-0-1) (VCM ABSENT) ORDINANCE NO. 2013-47**

**Motion to Approve made by Council Vice President Gonzalez and seconded by Councilwoman Lozano. MOTION PASSED (6-0-1) (VCM ABSENT)**

- PZ 4.** Second reading and public hearing of proposed ordinance granting a special use permit (SUP) to allow a second-hand dealer on a property zoned C-1 (restricted retail commercial district) and granting a variance permit to allow a distance of 700 feet from an existing secondhand dealer, where a 2,500-foot distance radius is required, contra to Hialeah Code § 98-1111(21). **Property located at 2451 West 68 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Gamestop Inc DBA Gamestop # 2285*) **APPROVED (6-0-1) (VCM ABSENT) ORDINANCE NO. 2013-48**

**Motion to Approve made by Councilman Hernandez and seconded by Council Vice President Gonzalez. MOTION PASSED (6-0-1) (VCM ABSENT)**

- PZ 5.** First reading of proposed ordinance rezoning property from R-1 (one family residential district) to R-2 (one and two family residential district) and granting a variance permit to allow a duplex on each of two substandard-sized lots having each a width of 50 feet, where a minimum average width of 75 feet is required, having each a total area of 6,750 square feet, more or less, where at least 7,500 square feet is required, to allow a lot coverage of 50.4% on each lot, where a maximum of 30% is allowed, and to allow side setbacks of 5 feet on each lot, where 7.5 feet are required, contra to Hialeah Code §§ 98-544, 98-546 and 98-2056(b)(2). **Property located at 115 West 13 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Eco Hialeah, LLC C/O Eugenio Lage (ITEM WAS TABLED ON MARCH 26, 2013, APRIL 9, 2013 & on MAY 28, 2013 PER THE APPLICANTS REQUEST.)*) **APPROVED (6-0-1) (VCM ABSENT)**

**Motion to Approve made by Councilman Hernandez and seconded by Council Vice President Gonzalez. MOTION PASSED (6-0-1) (VCM ABSENT)**

**Meeting was adjourned at 8:21 p.m.**

**NEXT CITY COUNCIL MEETING: August 27, 2013 at 7:00 P.M.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: August 27, 2013 at 6:30 p.m.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).